

Exhibit 203

PLAINTIFFS' OMNIBUS OPPOSITION TO DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT

Case No.: 4:22-md-03047-YGR

MDL No. 3047

In Re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation

CONFIDENTIAL

Ashley M. Simonsen (Bar No. 275203)
COVINGTON & BURLING LLP
1999 Avenue of the Stars
Los Angeles, California 90067-4643
Telephone: + 1 (424) 332-4800
Facsimile: + 1 (424) 332-4749
Email: asimonsen@cov.com

Attorneys for Defendants Meta Platforms, Inc. f/k/a
Facebook, Inc.; Facebook Holdings, LLC; Facebook
Operations, LLC; Facebook Payments, Inc.;
Facebook Technologies, LLC; Instagram, LLC;
Siculus, Inc.; and Mark Elliot Zuckerberg
Additional counsel listed on
signature pages

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY PRODUCTS
LIABILITY LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

MDL NO. 3047

Civil Case No. 4:22-md-03047-YGR:

Honorable Yvonne Gonzalez Rogers

**META DEFENDANTS' AMENDED
RESPONSES AND OBJECTIONS TO
PLAINTIFFS' THIRD SET OF
REQUESTS FOR ADMISSION**

Defendants Meta Platforms, Inc., Facebook Payments, Inc., Siculus, Inc., Facebook Operations, LLC, and Instagram, LLC, (collectively, "Defendants" or "Meta"), by and through their attorneys, Covington & Burling, LLP, submit their amended responses and objections to Plaintiffs' Third Set of Requests for Admission ("Requests") served on February 21, 2025.

Meta's responses to the Requests are made to the best of its current knowledge, information, and belief. Meta reserves the right to further supplement or amend any of its responses should future investigation indicate that such supplementation or amendment is necessary.

CONFIDENTIAL**AMENDED RESPONSES AND OBJECTIONS TO SPECIFIC REQUESTS FOR ADMISSION****REQUEST FOR ADMISSION NO. 18:**

Admit that You do not provide notice (as described in 16 CFR § 312.4) of what information You collect from Children on Facebook or Instagram, how You use such information, or Your disclosure practices for such information.

ORIGINAL RESPONSE:

Meta incorporates its Responses and Objections to All Requests by reference as though fully set forth herein. Meta further objects to this Request on the ground that its use of the undefined phrases “information,” “use such information,” and “disclosure practices” renders this Request vague and ambiguous. Meta objects to this Request as overbroad, unduly burdensome, and not proportional to the needs of the case to the extent that it seeks information without limitation to the Relevant Time Period. Accordingly, Meta will limit its response to this Request to the Relevant Time Period. Meta objects to this request to the extent it suggests that individuals under the age of 13 are permitted users of Facebook or Instagram, which they are not. Meta will interpret “information” to mean “personal information” as reflected in 15 U.S.C. § 6501 and 16 CFR § 312.2.

Based on, subject to, and without waiving the foregoing objections, Meta responds as follows: Except as expressly set out below, Meta DENIES this Request for Admission.

Since at least 2012, Facebook’s Terms of Service and Instagram’s Terms of Use have prohibited individuals under the age of 13 from creating a Facebook or Instagram account. Persons who enter a date of birth indicating that they are under 13 during the Facebook or Instagram registration process are not permitted to create an account, and Meta does not store personal information for such persons. If Meta has reliable evidence indicating that an individual who has created an account is under the age of 13, then Meta will place the user in an age checkpoint. If the user is unable to demonstrate that they are 13 years of age or older, by failing to appeal or making an unsuccessful attempt to appeal the checkpoint, their

CONFIDENTIAL

1 account is deleted in accordance with Meta's standard deletion protocols. When Meta deletes a user's
2 account, Meta's systems delete, as defined in 16 CFR § 312.2, all data associated with the account. The
3 Terms of Service and Terms of Use also state that to use Facebook or Instagram individuals must be at
4 least 13 years old. Therefore, because during the Relevant Time Period, Meta has not knowingly collected
5 personal information from individuals under 13 on Facebook or Instagram, regardless of whether those
6 individuals have been logged into a Facebook or Instagram account, Meta has not provided notice as
7 described in 16 CFR § 312.4.

8
9 Meta reserves the right to supplement or modify its response based upon documents or information
10 identified over the course of discovery.

AMENDED RESPONSE:

11
12 Meta incorporates its Responses and Objections to All Requests by reference as though fully set
13 forth herein. Meta further objects to this Request on the ground that its use of the undefined phrases
14 "information," "use such information," and "disclosure practices" renders this Request vague and
15 ambiguous. Meta objects to this Request as overbroad, unduly burdensome, and not proportional to the
16 needs of the case to the extent that it seeks information without limitation to the Relevant Time
17 Period. Accordingly, Meta will limit its response to this Request to the Relevant Time Period. Meta
18 objects to this request to the extent it suggests that individuals under the age of 13 are permitted users of
19 Facebook or Instagram, which they are not. Meta will interpret "information" to mean "personal
20 information" as reflected in 15 U.S.C. § 6501 and 16 CFR § 312.2.

21
22 Based on, subject to, and without waiving the foregoing objections, Meta responds as
23 follows: Except as expressly admitted below, Meta DENIES this Request for Admission.

24
25 Since at least 2012, Facebook's Terms of Service and Instagram's Terms of Use have prohibited
26 individuals under the age of 13 from creating a Facebook or Instagram account. Persons who enter a date
27 of birth indicating that they are under 13 during the Facebook or Instagram registration process are not
28

CONFIDENTIAL

1 permitted to create an account, and Meta does not store personal information for such persons. If Meta
2 has reliable evidence indicating that an individual who has created an account is under the age of 13, then
3 Meta will place the user in an age checkpoint. If the user is unable to demonstrate that they are 13 years
4 of age or older, by failing to appeal or making an unsuccessful attempt to appeal the checkpoint, their
5 account is deleted in accordance with Meta's standard deletion protocols. When Meta deletes a user's
6 account, Meta's systems delete, as defined in 16 CFR § 312.2, all data associated with the account. The
7 Terms of Service and Terms of Use also state that to use Facebook or Instagram individuals must be at
8 least 13 years old. Therefore, because during the Relevant Time Period, Meta has not knowingly collected
9 personal information from individuals under 13 on Facebook or Instagram, regardless of whether those
10 individuals have been logged into a Facebook or Instagram account, Meta has not provided notice as
11 described in 16 CFR § 312.4.
12

13
14 Meta reserves the right to supplement or modify its response based upon documents or information
15 identified over the course of discovery.

REQUEST FOR ADMISSION NO. 19:

16
17 Admit that You do not obtain Verifiable parental consent to collect, use, and/or disclose personal
18 information that You collect from Children who visit Facebook with or without logging into an account.

ORIGINAL RESPONSE:

19
20 Meta incorporates its Responses and Objections to All Requests by reference as though fully set
21 forth herein. Meta objects to this Request as overbroad, unduly burdensome, and not proportional to the
22 needs of the case to the extent that it seeks information without limitation to the Relevant Time
23 Period. Accordingly, Meta will limit its response to this Request to the Relevant Time Period. Meta
24 further objects to this Request on the ground that its use of the undefined phrases "use" and "disclose"
25 renders this Request vague and ambiguous. Meta objects to this request to the extent it suggests that
26 individuals under the age of 13 are permitted users of Facebook or Instagram, which they are not. Meta
27
28

CONFIDENTIAL

1 interprets the term “obtain verifiable consent” and “personal information,” to have the meanings reflected
2 in 15 U.S.C. § 6501 and 16 CFR § 312.2.

3 Based on, subject to, and without waiving the foregoing objections, Meta responds as
4 follows: Except as expressly set out below, Meta DENIES this Request for Admission.

5 Since at least 2012, Facebook’s Terms of Service have prohibited individuals under the age of 13
6 from creating a Facebook account. Persons who enter a date of birth indicating that they are under 13
7 during the Facebook registration process are not permitted to create an account, and Meta does not store
8 personal information for such persons. If Meta has reliable evidence indicating that an individual who
9 has created an account is under the age of 13, then Meta will place the user in an age checkpoint. If the
10 user is unable to demonstrate that they are 13 years of age or older, by failing to appeal or making an
11 unsuccessful attempt to appeal the checkpoint, their account is deleted in accordance with our standard
12 deletion protocols. When Meta deletes a user’s account, Meta’s systems delete, as defined in 16 CFR §
13 312.2, all data associated with the account. The Terms of Service also state that to use Facebook
14 individuals must be at least 13 years old. Therefore, because during the Relevant Time Period Meta has
15 not knowingly collected data from any individuals under 13 on Facebook, regardless of whether those
16 individuals have been logged into a Facebook account, Meta has not sought verifiable consent from
17 parents of individuals under 13 whom Meta does not know exist.

18 Meta reserves the right to supplement or modify its response based upon documents or information
19 identified over the course of discovery.

20
21 **AMENDED RESPONSE:**

22
23 Meta incorporates its Responses and Objections to All Requests by reference as though fully set
24 forth herein. Meta objects to this Request as overbroad, unduly burdensome, and not proportional to the
25 needs of the case to the extent that it seeks information without limitation to the Relevant Time
26 Period. Accordingly, Meta will limit its response to this Request to the Relevant Time Period. Meta
27
28

CONFIDENTIAL

1 further objects to this Request on the ground that its use of the undefined phrases “use” and “disclose”
2 renders this Request vague and ambiguous. Meta objects to this request to the extent it suggests that
3 individuals under the age of 13 are permitted users of Facebook or Instagram, which they are not. Meta
4 interprets the term “obtain verifiable consent” and “personal information,” to have the meanings reflected
5 in 15 U.S.C. § 6501 and 16 CFR § 312.2.
6

7 Based on, subject to, and without waiving the foregoing objections, Meta responds as
8 follows: Except as expressly admitted below, Meta DENIES this Request for Admission.

9 Since at least 2012, Facebook’s Terms of Service have prohibited individuals under the age of 13
10 from creating a Facebook account. Persons who enter a date of birth indicating that they are under 13
11 during the Facebook registration process are not permitted to create an account, and Meta does not store
12 personal information for such persons. If Meta has reliable evidence indicating that an individual who
13 has created an account is under the age of 13, then Meta will place the user in an age checkpoint. If the
14 user is unable to demonstrate that they are 13 years of age or older, by failing to appeal or making an
15 unsuccessful attempt to appeal the checkpoint, their account is deleted in accordance with our standard
16 deletion protocols. When Meta deletes a user’s account, Meta’s systems delete, as defined in 16 CFR §
17 312.2, all data associated with the account. The Terms of Service also state that to use Facebook
18 individuals must be at least 13 years old. Therefore, because during the Relevant Time Period Meta has
19 not knowingly collected data from any individuals under 13 on Facebook, regardless of whether those
20 individuals have been logged into a Facebook account, Meta has not sought verifiable consent from
21 parents of individuals under 13 whom Meta does not know exist.
22
23

24 Meta reserves the right to supplement or modify its response based upon documents or information
25 identified over the course of discovery.
26
27
28

CONFIDENTIAL**REQUEST FOR ADMISSION NO. 20:**

Admit that You do not provide a means for a parent to review the personal information collected from their Children who visit Facebook with or without logging into an account, in a manner described in 16 CFR § 312.6(a)(3).

ORIGINAL RESPONSE:

Meta incorporates its Responses and Objections to All Requests by reference as though fully set forth herein. Meta objects to this Request as overbroad, unduly burdensome, and not proportional to the needs of the case to the extent that it seeks information without limitation to the Relevant Time Period. Accordingly, Meta will limit its response to this Request to the Relevant Time Period. Meta further objects to this Request on the ground that its use of the undefined phrases “visit,” “review,” and “with or without logging into” renders this Request vague and ambiguous. Meta objects to this request to the extent it suggests that individuals under the age of 13 are permitted users of Facebook or Instagram, which they are not. Meta interprets the terms “collected,” “parent,” and “personal information” to have the meanings reflected in 15 U.S.C. § 6501 and 16 CFR § 312.2.

Based on, subject to, and without waiving the foregoing objections, Meta responds as follows: Except as expressly set out below, Meta DENIES this request.

Since at least 2012, Facebook’s Terms of Service have prohibited individuals under the age of 13 from creating a Facebook account. Persons who enter a date of birth indicating that they are under 13 during the Facebook registration process are not permitted to create an account, and Meta does not store personal information for such persons. If Meta has reliable evidence indicating that an individual who has created an account is under the age of 13, then Meta will place the user in an age checkpoint. If the user is unable to demonstrate that they are 13 years of age or older, by failing to appeal or making an unsuccessful attempt to appeal the checkpoint, their account is deleted in accordance with Meta’s standard deletion protocols. When Meta deletes a user’s account, Meta’s systems delete, as defined in 16 CFR §

CONFIDENTIAL

312.2, all data associated with the account. The Terms of Service also state that to use Facebook individuals must be at least 13 years old. Therefore, because during the Relevant Time Period, Meta has not knowingly collected personal information from individuals under 13 on Facebook, regardless of whether those individuals have been logged into a Facebook account, Meta has not provided parents means to review personal information of their children under 13 whom Meta does not know exist.

Meta reserves the right to supplement or modify its response based upon documents or information identified over the course of discovery.

AMENDED RESPONSE:

Meta incorporates its Responses and Objections to All Requests by reference as though fully set forth herein. Meta objects to this Request as overbroad, unduly burdensome, and not proportional to the needs of the case to the extent that it seeks information without limitation to the Relevant Time Period. Accordingly, Meta will limit its response to this Request to the Relevant Time Period. Meta further objects to this Request on the ground that its use of the undefined phrases “visit,” “review,” and “with or without logging into” renders this Request vague and ambiguous. Meta objects to this request to the extent it suggests that individuals under the age of 13 are permitted users of Facebook or Instagram, which they are not. Meta interprets the terms “collected,” “parent,” and “personal information” to have the meanings reflected in 15 U.S.C. § 6501 and 16 CFR § 312.2.

Based on, subject to, and without waiving the foregoing objections, Meta responds as follows: Except as expressly admitted below, Meta DENIES this Request for Admission.

Since at least 2012, Facebook’s Terms of Service have prohibited individuals under the age of 13 from creating a Facebook account. Persons who enter a date of birth indicating that they are under 13 during the Facebook registration process are not permitted to create an account, and Meta does not store personal information for such persons. If Meta has reliable evidence indicating that an individual who has created an account is under the age of 13, then Meta will place the user in an age checkpoint. If the

CONFIDENTIAL

1 user is unable to demonstrate that they are 13 years of age or older, by failing to appeal or making an
2 unsuccessful attempt to appeal the checkpoint, their account is deleted in accordance with Meta's standard
3 deletion protocols. When Meta deletes a user's account, Meta's systems delete, as defined in 16 CFR §
4 312.2, all data associated with the account. The Terms of Service also state that to use Facebook
5 individuals must be at least 13 years old. Therefore, because during the Relevant Time Period, Meta has
6 not knowingly collected personal information from individuals under 13 on Facebook, regardless of
7 whether those individuals have been logged into a Facebook account, Meta has not provided parents means
8 to review personal information of their children under 13 whom Meta does not know exist.
9

10 Meta reserves the right to supplement or modify its response based upon documents or information
11 identified over the course of discovery.
12

REQUEST FOR ADMISSION NO. 21:

13
14 Admit that You do not provide a means for a parent to refuse to permit the further use or
15 maintenance of the information collected from their Child on Your Platforms, in the manner described in
16 16 CFR § 312.6(a)(2).
17

ORIGINAL RESPONSE:

18 Meta incorporates its Responses and Objections to All Requests by reference as though fully set
19 forth herein. Meta further objects to this Request on the ground that its use of the undefined phrases
20 "maintenance of the information collected" and "information" renders this Request vague and
21 ambiguous. Meta objects to this Request as overbroad, unduly burdensome, and not proportional to the
22 needs of the case to the extent that it seeks information without limitation to the Relevant Time
23 Period. Accordingly, Meta will limit its response to this Request to the Relevant Time Period. Meta
24 objects to this request to the extent it suggests that individuals under the age of 13 are permitted users of
25 Facebook or Instagram, which they are not. Meta interprets the terms "collected," "parent," and "personal
26
27
28

CONFIDENTIAL

1 information” to have the meanings reflected in 15 U.S.C. § 6501 and 16 CFR § 312.2. Meta will interpret
2 “information” to mean “personal information” as reflected in 15 U.S.C. § 6501 and 16 CFR § 312.2.

3 Based on, subject to, and without waiving the foregoing objections, Meta responds as follows:
4 Except as expressly set out below, Meta DENIES this Request for Admission.

5 Since at least 2012, Facebook’s Terms of Service and Instagram’s Terms of Use have prohibited
6 individuals under the age of 13 from creating a Facebook or Instagram account. Persons who enter a date
7 of birth indicating that they are under 13 during the Facebook or Instagram registration process are not
8 permitted to create an account, and Meta does not store personal information for such persons. If Meta
9 has reliable evidence indicating that an individual who has created an account is under the age of 13, then
10 Meta will place the user in an age checkpoint. If the user is unable to demonstrate that they are 13 years
11 of age or older, by failing to appeal or making an unsuccessful attempt to appeal the checkpoint, their
12 account is deleted in accordance with our standard deletion protocols. When Meta deletes a user’s
13 account, Meta’s systems delete, as defined in 16 CFR § 312.2, all data associated with the account. As
14 such, since 2012, Meta has not provided parents a means, as described in 16 CFR § 312.6(a)(2), to
15 (1) refuse to permit the further use of personal information collected from their children under 13, or (2) to
16 direct the operator to delete the child’s personal information, because individuals under 13 are not
17 authorized to open an account on Instagram or Facebook and Meta therefore does not knowingly collect
18 personal information from individuals under 13. The Terms of Service and Terms of Use also state that
19 to use Facebook or Instagram individuals must be at least 13 years old. Therefore, because during the
20 Relevant Time Period, Meta has not knowingly collected personal information from individuals under 13
21 on Facebook or Instagram, regardless of whether those individuals have been logged into a Facebook or
22 Instagram account, Meta has not provided parents a means to refuse to permit the further use of personal
23 information from their children whom Meta does not know exist.
24
25
26
27
28

CONFIDENTIAL

Meta reserves the right to supplement or modify its response based upon documents or information identified over the course of discovery.

AMENDED RESPONSE:

Meta incorporates its Responses and Objections to All Requests by reference as though fully set forth herein. Meta further objects to this Request on the ground that its use of the undefined phrases “maintenance of the information collected” and “information” renders this Request vague and ambiguous. Meta objects to this Request as overbroad, unduly burdensome, and not proportional to the needs of the case to the extent that it seeks information without limitation to the Relevant Time Period. Accordingly, Meta will limit its response to this Request to the Relevant Time Period. Meta objects to this request to the extent it suggests that individuals under the age of 13 are permitted users of Facebook or Instagram, which they are not. Meta interprets the terms “collected,” “parent,” and “personal information” to have the meanings reflected in 15 U.S.C. § 6501 and 16 CFR § 312.2. Meta will interpret “information” to mean “personal information” as reflected in 15 U.S.C. § 6501 and 16 CFR § 312.2.

Based on, subject to, and without waiving the foregoing objections, Meta responds as follows: Except as expressly admitted below, Meta DENIES this Request for Admission.

Since at least 2012, Facebook’s Terms of Service and Instagram’s Terms of Use have prohibited individuals under the age of 13 from creating a Facebook or Instagram account. Persons who enter a date of birth indicating that they are under 13 during the Facebook or Instagram registration process are not permitted to create an account, and Meta does not store personal information for such persons. If Meta has reliable evidence indicating that an individual who has created an account is under the age of 13, then Meta will place the user in an age checkpoint. If the user is unable to demonstrate that they are 13 years of age or older, by failing to appeal or making an unsuccessful attempt to appeal the checkpoint, their account is deleted in accordance with our standard deletion protocols. When Meta deletes a user’s account, Meta’s systems delete, as defined in 16 CFR § 312.2, all data associated with the account. As

CONFIDENTIAL

1 such, since 2012, Meta has not provided parents a means, as described in 16 CFR § 312.6(a)(2), to (1)
2 refuse to permit the further use of personal information collected from their children under 13, or (2) to
3 direct the operator to delete the child’s personal information, because individuals under 13 are not
4 authorized to open an account on Instagram or Facebook and Meta therefore does not knowingly collect
5 personal information from individuals under 13. The Terms of Service and Terms of Use also state that
6 to use Facebook or Instagram individuals must be at least 13 years old. Therefore, because during the
7 Relevant Time Period, Meta has not knowingly collected personal information from individuals under 13
8 on Facebook or Instagram, regardless of whether those individuals have been logged into a Facebook or
9 Instagram account, Meta has not provided parents a means to refuse to permit the further use of personal
10 information from their children whom Meta does not know exist.
11

12 Meta reserves the right to supplement or modify its response based upon documents or information
13 identified over the course of discovery.
14

REQUEST FOR ADMISSION NO. 46:

15
16 Admit that Meta uses the personal information it gathers about Users, regardless of age, to better
17 target its advertising services.

ORIGINAL RESPONSE:

18
19 Meta incorporates its Responses and Objections to All Requests by reference as though fully set
20 forth herein. Meta objects to this Request as overbroad, unduly burdensome, and not proportional to the
21 needs of the case to the extent that it seeks information without limitation to the Relevant Time Period or
22 Youth users. Meta further objects to this Request on the ground that its use of the undefined phrases
23 “personal information,” “gathers,” “regardless of age,” “better target,” and “advertising services” renders
24 this Request vague and ambiguous. Meta interprets “personal information” to be individually identifiable
25 information about an individual collected online. Meta further objects to this Request as vague and
26 ambiguous on the ground that its use of the term “Users” and “personal information” does not exclude
27
28

CONFIDENTIAL

1 individuals under the age of 13. Meta interprets “Users” as referring only to individuals with an account
2 on either Facebook or Instagram, as Facebook and Instagram are the only social media services at issue
3 in Plaintiffs’ operative complaint, and to individuals at least 13 years of age, as individuals under 13 years
4 of age are not permitted users of Facebook and Instagram. Meta further objects to Definition No. 2
5 (“collect,” “collects” and “collection”) as vague and ambiguous in that Plaintiffs assign to those terms the
6 meaning provided in 16 C.F.R. § 312.2 yet appear also to use one or more of those terms in different
7 contexts, apparently using their more ordinary meaning. Meta does not attribute to those terms Plaintiffs’
8 assigned meaning in this Request. Meta objects to the terms to the extent that they assume Meta
9 knowingly collects personal information from individuals under the age of 13.
10

11 Based on, subject to, and without waiving the foregoing objections, Meta responds as follows:
12 Except as expressly admitted below, Meta DENIES this Request for Admission.
13

14 Meta’s publicly available Privacy Policy (available at
15 [https://www.facebook.com/privacy/policy?annotations\[0\]=1.ex.41-InformationWeCollectIf](https://www.facebook.com/privacy/policy?annotations[0]=1.ex.41-InformationWeCollectIf)) explains
16 how it collects and uses certain information from Users. As disclosed in the Policy, Meta uses this
17 information for a variety of purposes, including to promote safety, security, and integrity by investigating
18 and addressing violations of its policies, to communicate with users, and to provide advertising services.
19 As also disclosed in the Policy, Meta’s ads system uses this information to understand users’ interests and
20 preferences and personalize the ads shown to users on Meta’s products. Meta does not allow individuals
21 under the age of 13 to access Facebook or Instagram, and it does not allow advertisers to target
22 advertisements to individuals under the age of 13. Meta also limits the information that can be used to
23 show advertisements to people under the age of 18, as described at
24 <https://www.facebook.com/privacy/dialog/how-ads-are-different-for-teens>. As a result, Meta does not
25 use user information to better target its advertising services “regardless of age.”
26
27
28

CONFIDENTIAL

Meta reserves the right to supplement or modify its response based upon documents or information identified over the course of discovery.

AMENDED RESPONSE:

Meta incorporates its Responses and Objections to All Requests by reference as though fully set forth herein. Meta objects to this Request as overbroad, unduly burdensome, and not proportional to the needs of the case to the extent that it seeks information without limitation to the Relevant Time Period or Youth users. Meta further objects to this Request on the ground that its use of the undefined phrases “personal information,” “uses,” “gathers,” “regardless of age,” “better target,” and “advertising services” renders this Request vague and ambiguous. Per Definition No. 5 of the Requests, Meta interprets the term “personal information” to have the meaning reflected in 16 CFR § 312.2. Meta further objects to this Request as vague and ambiguous on the ground that its use of the term “Users” and “personal information” does not exclude individuals under the age of 13. Meta interprets “Users” as referring only to individuals with an account on either Facebook or Instagram, as Facebook and Instagram are the only social media services at issue in Plaintiffs’ operative complaint, and to individuals at least 13 years of age, as individuals under 13 years of age are not permitted users of Facebook and Instagram. Meta further objects to Definition No. 2 (“collect,” “collects” and “collection”) as vague and ambiguous in that Plaintiffs assign to those terms the meaning provided in 16 C.F.R. § 312.2 yet appear also to use one or more of those terms in different contexts, apparently using their more ordinary meaning. Meta does not attribute to those terms Plaintiffs’ assigned meaning in this Request. Meta objects to the terms to the extent that they assume Meta knowingly collects personal information from individuals under the age of 13.

Based on, subject to, and without waiving the foregoing objections, Meta responds as follows: Except as expressly admitted below, Meta DENIES this Request for Admission.

Meta’s publicly available Privacy Policy that has been produced at, e.g., META3047MDL-030-00000058 explains how it collects and may use certain information from Users. As disclosed in the Policy,

CONFIDENTIAL

Meta uses this information for a variety of purposes, including to promote safety, security, and integrity by investigating and addressing violations of its policies, to communicate with users, and to provide advertising services. As also disclosed in the Policy, Meta's ads system uses this information to understand users' interests and preferences and personalize the ads shown to users on Meta's products. However, advertisers decide who sees their advertisements and where by defining their target audience. Meta does not allow individuals under the age of 13 to access Facebook or Instagram, and it does not allow advertisers to target advertisements to individuals under the age of 13. Meta also limits the information that can be used to show advertisements to people under the age of 18, as described at META3047MDL-146-00060515. As a result, Meta does not use user information to better target its advertising services "regardless of age."

Meta reserves the right to supplement or modify its response based upon documents or information identified over the course of discovery.

REQUEST FOR ADMISSION NO. 47:

Admit that Meta associates information collected about individuals who visit Facebook or Instagram pages without logging in (including information about how they interact with Facebook or Instagram) with one or more identifiers described in the definition of "personal information" in 16 CFR § 312.2.

ORIGINAL RESPONSE:

Meta incorporates its Responses and Objections to All Requests by reference as though fully set forth herein. Meta objects to this Request as overbroad, unduly burdensome, and not proportional to the needs of the case to the extent that it seeks information without limitation to the Relevant Time Period or Youth users. Meta further objects to this Request on the ground that its use of the undefined phrases "associates," "information collected," "visit Facebook or Instagram pages," "without logging in," "interact," and "identifiers" renders this Request vague and ambiguous. Meta further objects to Definition

CONFIDENTIAL

No. 2 (“collect,” “collects” and “collection”) as vague and ambiguous in that Plaintiffs assign to those terms the meaning provided in 16 C.F.R. § 312.2, yet also appear to use one or more of those terms in different contexts, apparently using their more ordinary meaning. Meta does not attribute to those terms Plaintiffs’ assigned meaning in this Request. Meta objects to the terms to the extent that they assume Meta knowingly collects personal information from individuals under the age of 13.

Based on, subject to, and without waiving the foregoing objections, Meta responds as follows: Except as expressly admitted below, Meta DENIES this Request for Admission.

Meta’s publicly available Privacy Policy explains how it collects and uses certain information, including certain information from people who visit certain Facebook and Instagram webpages without logging into an account as described at [https://www.facebook.com/privacy/policy?annotations\[0\]=1.ex.41-InformationWeCollectIf](https://www.facebook.com/privacy/policy?annotations[0]=1.ex.41-InformationWeCollectIf). Meta does not knowingly collect personal information from individuals under the age of 13.

Meta reserves the right to supplement or modify its response based upon documents or information identified over the course of discovery.

AMENDED RESPONSE:

Meta incorporates its Responses and Objections to All Requests by reference as though fully set forth herein. Meta objects to this Request as overbroad, unduly burdensome, and not proportional to the needs of the case to the extent that it seeks information without limitation to the Relevant Time Period or Youth users. Meta further objects to this Request on the ground that its use of the undefined phrases “associates,” “information collected,” “visit Facebook or Instagram pages,” “without logging in,” “interact,” and “identifiers” renders this Request vague and ambiguous. Meta further objects to Definition No. 2 (“collect,” “collects” and “collection”) as vague and ambiguous in that Plaintiffs assign to those terms the meaning provided in 16 C.F.R. § 312.2, yet also appear to use one or more of those terms in different contexts, apparently using their more ordinary meaning. Meta does not attribute to those terms

CONFIDENTIAL

1 Plaintiffs' assigned meaning in this Request. Meta objects to the terms to the extent that they assume
2 Meta knowingly collects personal information from individuals under the age of 13.

3 Based on, subject to, and without waiving the foregoing objections, Meta responds as follows:
4 Except as expressly admitted below, Meta DENIES this Request for Admission.

5 Meta's publicly available Privacy Policy that has been produced at, e.g., META3047MDL-030-
6 00000058 explains how it collects and may use certain information, including certain information from
7 people who visit certain Facebook and Instagram webpages without logging into an account. Meta does
8 not knowingly collect personal information from individuals under the age of 13.
9

10 Meta reserves the right to supplement or modify its response based upon documents or information
11 identified over the course of discovery.

12 **REQUEST FOR ADMISSION NO. 48:**

13 Admit that the personal information You collect from individuals who visit Facebook or Instagram
14 pages without logging in is used for targeting advertisements to those individuals.
15

16 **ORIGINAL RESPONSE:**

17 Meta incorporates its Responses and Objections to All Requests by reference as though fully set
18 forth herein. Meta objects to this Request as overbroad, unduly burdensome, and not proportional to the
19 needs of the case to the extent that it seeks information without limitation to the Relevant Time Period or
20 Youth users. Meta further objects to this Request on the ground that its use of the undefined phrases "from
21 individuals," "visit Facebook or Instagram pages," "without logging in," and "used for targeting
22 advertisements" renders this Request vague and ambiguous. Meta interprets "personal information" to be
23 individually identifiable information about an individual collected online. Meta further objects to
24 Definition No. 2 ("collect," "collects" and "collection") as vague and ambiguous in that Plaintiffs assign
25 to those terms the meaning provided in 16 C.F.R. § 312.2, yet also appear to use one or more of those
26 terms in different contexts, apparently using their more ordinary meaning. Meta does not attribute to those
27
28

CONFIDENTIAL

1 terms Plaintiffs' assigned meaning in this Request. Meta objects to the terms to the extent that they assume
2 Meta knowingly collects personal information from individuals under the age of 13.

3 Based on, subject to, and without waiving the foregoing objections, Meta responds as follows:
4 Except as expressly admitted below, Meta DENIES this Request for Admission.

5 Meta's publicly available Privacy Policy explains how it collects and uses certain information,
6 including certain information from people who visit certain Facebook and Instagram webpages without
7 logging into an account as described at
8 [https://www.facebook.com/privacy/policy?annotations\[0\]=1.ex.41-InformationWeCollectIf](https://www.facebook.com/privacy/policy?annotations[0]=1.ex.41-InformationWeCollectIf). As

9 disclosed in the Policy, that information may be used to show such individuals ads for Meta's products
10 through the Meta Audience Network if Meta cannot recognize them as registered users of Meta's products.

11 Meta reserves the right to supplement or modify its response based upon documents or information
12 identified over the course of discovery.

13 **AMENDED RESPONSE:**

14
15 Meta incorporates its Responses and Objections to All Requests by reference as though fully set
16 forth herein. Meta objects to this Request as overbroad, unduly burdensome, and not proportional to the
17 needs of the case to the extent that it seeks information without limitation to the Relevant Time Period or
18 Youth users. Meta further objects to this Request on the ground that its use of the undefined phrases "from
19 individuals," "visit Facebook or Instagram pages," "without logging in," and "used for targeting
20 advertisements" renders this Request vague and ambiguous. Per Definition No. 5 of the Requests, Meta
21 interprets the term "personal information" to have the meaning reflected in 16 CFR § 312.2. Meta further
22 objects to Definition No. 2 ("collect," "collects" and "collection") as vague and ambiguous in that
23 Plaintiffs assign to those terms the meaning provided in 16 C.F.R. § 312.2, yet also appear to use one or
24 more of those terms in different contexts, apparently using their more ordinary meaning. Meta does not
25 attribute to those terms Plaintiffs' assigned meaning in this Request. Meta objects to the terms to the
26
27
28

CONFIDENTIAL

1 extent that they assume Meta knowingly collects personal information from individuals under the age of
2 13.

3 Based on, subject to, and without waiving the foregoing objections, Meta responds as
4 follows: Except as expressly admitted below, Meta DENIES this Request for Admission.
5

6 Meta's publicly available Privacy Policy that has been produced at, e.g., META3047MDL-030-
7 00000058 explains how it collects and may use certain information, including certain information from
8 people who visit certain Facebook and Instagram webpages without logging into an account. As disclosed
9 in the Policy, that information may be used to show such individuals ads for Meta's products through the
10 Meta Audience Network if Meta cannot recognize them as registered users of Meta's products.
11 Meta reserves the right to supplement or modify its response based upon documents or information
12 identified over the course of discovery.
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CONFIDENTIAL

Dated: May 2, 2025

Respectfully submitted,

COVINGTON & BURLING LLP

/s/ Ashley M. Simonsen

Ashley M. Simonsen (State Bar No. 275203)
asimonsen@cov.com

COVINGTON & BURLING LLP

1999 Avenue of the Stars

Los Angeles, CA 90067

Telephone: (424) 332-4800

Facsimile: + 1 (424) 332-4749

Emily Johnson Henn (State Bar No. 269482)
ehenn@cov.com

COVINGTON & BURLING LLP

3000 El Camino Real

5 Palo Alto Square, 10th Floor

Palo Alto, CA 94306

Telephone: + 1 (650) 632-4700

Facsimile: +1 (650) 632-4800

Phyllis A. Jones, *pro hac vice*

pajones@cov.com

Paul W. Schmidt, *pro hac vice*

pschmidt@cov.com

Michael X. Imbroscio, *pro hac vice*

mimbroscio@cov.com

COVINGTON & BURLING LLP

One CityCenter

850 Tenth Street, NW

Washington, DC 20001-4956

Telephone: + 1 (202) 662-6000

Facsimile: + 1 (202) 662-6291

*Attorneys for Defendants Meta Platforms, Inc. f/k/a
Facebook, Inc.; Facebook Holdings, LLC; Facebook
Operations, LLC; Facebook Payments, Inc.;
Facebook Technologies, LLC; Instagram, LLC;
Siculus, Inc.; and Mark Elliot Zuckerberg*

CONFIDENTIAL

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served via electronic mail on May 2, 2025 on the following:

PSCServiceMDL3047@motleyrice.com
~SnapMDL3047JCCP5255@mto.com
john.beisner@skadden.com
YT-MDL3047JCCP5255@list.wsgr.com
YT-ML-MDL3047JCCP5255@morganlewis.com
W&C-YT-PL-Cases@wc.com
TikTokMDL3047JCCP5255@faegredrinker.com
TikTokMDL3047JCCP5255@kslaw.com
SM.MDLAGLeads@coag.gov
mdl3047coleadfirms@listserv.motleyrice.com
Defendants-MDL3047JCCP5255@skaddenlists.com

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 2, 2025.

DATED: May 2, 2025

By: /s/ Ashley M. Simonsen

Ashley M. Simonsen